



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

an

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,367	09/08/2003	Kuo-Ping Yang	YANG3148/EM	8245
23364	7590	10/19/2004	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			HARRIS, CHANDA L	
			ART UNIT	PAPER NUMBER
			3714	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

82)

Office Action Summary	Application No. 10/656,367	Applicant(s) YANG ET AL.	
	Examiner Chanda L. Harris	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-8 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Remschel (US 6,141,528).

1. [Claims 1,11-12]: Regarding Claims 1 and 11-12, Remschel discloses a teaching computer (i.e., control panel, personal computer) for executing at least one interactive learning software program and outputting graphical information to the teacher and the plurality of students, the interactive learning software being able to accept a plurality of instructions. See Figure 1 and Col.13: 16-21. Remschel discloses a plurality of operational devices for use by the plurality students and outputting operational instructions to the teaching computer to use the interactive learning software program, wherein each operational device has a unique code (i.e., seat number). See FIG.7 and Col.6: 55-57. Remschel discloses a portable computer for use by the teacher (i.e., personal computer), the portable computer capable of executing an interactive control software program to output a control instruction to the teaching computer so that the interactive learning software selectively accepts the operating instruction from the operational device. See FIG.1 and Col.8: 63-66. Examiner considers the personal

computer in FIG.1 to be a portable computer for use by the teacher. Remschel discloses a computer readable medium storing an interactive learning software program (i.e., learning system software), the interactive learning software program being usable by a plurality of students. See Col.5: 39-46. An operational instruction status list for recording the acceptable operational instructions sent by particular ID codes, program code for changing the operational instruction status list, and program code for deciding which operational instruction with the ID code should be executed by checking the operational instruction status list would be inherent features of Remschel's invention in light of Col.8: 53-66. The operational status list sorting a plurality of operational instructions into a plurality of operational instruction groups (e.g., group 1), each operational instruction group comprising at least one operational , and the operational instruction status list records the acceptable operational instructions sent by the acceptable ID codes for each operational instruction group would have been inherent features of Remschel's invention in light of Col.8: 53-66.

2. [Claim 2]: Regarding Claim 2, Remschel discloses wherein the teacher can use the interactive control software program to specify controllable operational instructions for each operational device so that the interactive learning software selectively accepts the operating instruction from the operational device. See Col.8: 53-66.

3. [Claim 3]: Regarding Claim 3, Remschel discloses wherein the teacher can use the interactive control software program to specify one operational device to process the interactive learning software program so that the interactive learning software is only used by the specified operational device. See Col.8: 63-66.

4. [Claim 4]: Regarding Claim 4, Remschel discloses wherein the teacher can randomly select at least one operational device by using the interactive control software program to process the interactive learning software program so that the interactive learning software program is only used by the selected operational device (i.e., assigning students randomly to a program group). See Col.9: 5-16.
5. [Claim 5]: Regarding Claim 5, Remschel discloses wherein the teacher can select a "competitive option" (e.g., assign) by using the interactive control software program to process the interactive learning software program so that the interactive learning software program is only used by the first or the first few operational devices. See FIG. 13. See Col.8: 63-66.
6. [Claim 6]: Regarding Claim 6, Remschel discloses a connection device (i.e., communication router) so that the output operational instruction from the plurality of operational devices is sent to the teaching computer via the connection device. See FIG.1.
7. [Claim 7]: Regarding Claim 7, Remschel discloses wherein the plurality of operational devices are connected to the connection device via cables (i.e., connecting cables), and the connection device is also connected to the teaching computer via a cable. See FIG.1.
8. [Claim 8]: Regarding Claim 8, in Remschel, the control instruction output by the portable computer (i.e., personal computer) is capable of first being sent to the connection device (i.e., communication router) and then to the teaching computer (i.e., control panel, personal computer). See FIG.1.

9. [Claim 10]: Regarding Claim 10, Remschel discloses wherein the teacher can also use the portable computer (i.e., personal computer) to output an operational instruction to the teaching computer (i.e., control panel, personal computer) to use the interactive learning software program. See FIG.1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Remschel in view of Greaves et al. (US 6,195,687).

[Claim 9]: Regarding Claim 9, Remschel does not disclose expressly wherein the control instruction output by the portable computer is sent to the connection device in a wireless manner. However, Greaves teaches wireless communication between a portable computer (i.e., slave node) and a connection device (e.g., network). See Col.3: 4-8. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate wireless communication between devices into the method and system of Remschel, in light of the teaching of Greaves, in order to enable some form of telecommunication.

Citation of Pertinent Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Lee et al. (US 5,788,508)
 - teacher and student workstations
- Abrahamson et al. (US 5,002,491)
 - central computer and student units
- Lemelson et al. (US 5,823,788)
 - plurality of student input devices and instructor base station
- Caldwell et al. (US 5,273,437)
 - wireless communication

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on 703-308-1745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chanda L. Harris
Chanda L. Harris
Examiner
Art Unit 3714

ch.